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August 17, 2023

Via ECF

Hon. Vernon S. Broderick, USDJ
USDC, SOUTHERN DISTRICT OF NEW YORK
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

**APPLICATION GRANTED
SO ORDERED**


**VERNON S. BRODERICK
U.S.D.J.** 08/18/2023

Extension is granted until August 28, 2023.

Re: ***Louis Reed, Jr. v. Pfizer Inc.***
USDC, Southern District of New York, No. 1:22-cv-8578 (VSB)

**JOINT REQUEST TO EXTEND DEADLINE TO PROVIDE RESPONSE
TO ORDER AND NOTICE OF INITIAL CONFERENCE (DKT. 37)**

Dear Judge Broderick:

My office represents Pfizer Inc. ("Pfizer") in the above-captioned matter. I am writing jointly on behalf of Pfizer and Plaintiff Louis Reed, Jr., who is proceeding *pro se*, to request a ten-day extension on the existing deadline for the parties' response to the Order and Notice of Initial Conference, Dkt. 37. The parties respectfully submit that good cause exists for this brief extension.

This is a product-liability action. Plaintiff alleges that his use of an FDA-approved prescription drug, atorvastatin (also known by its brand name, Lipitor), caused him to develop myopathy. Pfizer has moved to dismiss Plaintiff's First Amended Complaint, Dkt. 5, for failure to state a claim upon which relief can be granted. The motion is fully briefed. No case management deadlines are in place, and a trial date has not been set.

On August 3, 2023, the Court issued an Order and Notice of Initial Conference, Dkt. 37, pursuant to which the parties are required to submit a joint report by August 18, 2023. Although the parties are working cooperatively—having exchanged an initial draft of the report with ongoing discussions regarding anticipated revisions—I am informed by Mr. Reed that he is experiencing difficulties with his health, including a recent hospitalization, that have hindered his ability to prepare, review, and revise the materials in advance of the upcoming deadline.

The parties therefore respectfully request that the Court enter an order extending by ten days the deadline for the filing of their joint report. If this request is granted, the new deadline would be August 28, 2023. The parties submit that, in light of Mr. Reed's reported health challenges as well as his *pro se* status, there is good cause for this relief. Moreover, this short

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extension would not cause undue delay or otherwise impact the progress of this case, which remains in its infancy.

On behalf of Mr. Reed, we thank Your Honor for your consideration of this request. I would welcome any questions from the Court.

Respectfully submitted,

/s/ Jason M. Reefer

Jason M. Reefer (*pro hac vice*)

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Counsel for Defendant Pfizer Inc.

c: Mr. Louis Reed, Jr. (via email and U.S. Mail)